



MINUTES
OAK BAY ADVISORY PLANNING COMMISSION
TUESDAY, JULY 3 2018 AT 5:00 PM
COUNCIL CHAMBERS, MUNICIPAL HALL, 2167 OAK BAY AVENUE

MEMBERS PRESENT

Andrew Appleton
Pam Copley
Patrick Frey
Virginia Holden

Kristina Leach
Michael Low
Kris Nichols
Tim Taddy

MEMBERS ABSENT

n/a

STAFF PRESENT

Bruce Anderson, Director of Building and Planning
Deborah Jensen, Manager of Planning
Krista Mitchell, Building and Planning Clerk

1. Call to Order

The meeting was called to order at 5:00 pm.

The Chairperson introduced Bruce Anderson, the new Director of Building and Planning.

2. Adoption of Minutes from June 5, 2018

It was moved and seconded that the minutes from June 5, 2018 as be adopted as amended.
The motion was carried.
None opposed.

3. Approval of Agenda and Late Items

The agenda was approved as amended.

4. New Business

- a. DVP00084 – 609 Oliver Street
To permit heat pump siting within a side yard.

D. Jensen gave an overview of the application. Some of the comments were:

- Heat pump was installed on side of the house following construction of a new home.
- Applicant is requesting a relaxation to the minimum side yard setback for structures that emit sounds or vibrations.
- Siting the heat pump in other locations on the property was explored to meet setback requirements, including the rear yard and roof, but would involve significant alterations.
- Applicant has installed a temporary screen to dampen heat pump sound, but still difficult to measure sound at property line due to ambient noise.
- Zoning Bylaw sets a maximum of 40 decibels at property line, which is low compared to other municipalities.

D. Preston, applicant, noted the heat pump is located in an alcove, and that professional decibel readings taken from the street showed approximately 50 decibels where a normal conversation would be a 60 decibel reading.

Commission Comments

Commission members inquired if the heat pumps would run all night, whether neighbours are satisfied with the noise level and screening, and whether the pump could be relocated.

D. Preston, applicant, commented this is an energy efficient house and pumps would likely not run all night, that the heat pump has a compressor blanket to help deaden the sound, and that the requested variance would not make a significant difference to the sound.

R. Sharples, applicant, advised there has been no recent contact with neighbours, that the heat pump is in a low impact area, and that he was unaware of the rules for heat pumps. He noted the difficulty to move the heat pump due to already installed refrigeration lines.

Commission members noted concern for increased sound above ambient for the neighbour, noting new homes use heat pumps so will likely see other proposals. They suggested the Zoning Bylaw might be revised to mid 50 decibel range similar to other municipalities, noting this application highlights a bigger issue for Council to consider.

Advisory Planning Commission Assessment Checklist	
1.	<p>Sustainability. Does the proposal support sustainability (social, cultural, economic, environmental) within the community? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not Applicable</p>
2.	<p>Housing. Does the proposal align with current and future housing needs identified in the Official Community Plan, including housing types (form and tenure), affordability, diversity, and / or inclusivity? <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Not Applicable</p>
3.	<p>Neighbourhood Context / Heritage Resources. Does the proposal impact the site and surrounding context (ie. overall fit in the streetscape, neighbourhood, natural, historic or cultural places or features)? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not Applicable</p>
4.	<p>Liveability and Public Facilities. Does the proposal enhance the overall liveability for intended users (ie. proximity to services and public places such as parks and schools, scale and walkability)? <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Not Applicable</p>
5.	<p>Transportation Patterns and Traffic Flow. Does the proposal align with current and projected transportation patterns and traffic flows, including walking, cycling, transit and motor vehicles? <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Not Applicable</p>
Community Services and Infrastructure.	
6.	<p>Does the proposal impact infrastructure such as sewers, water, roads, drainage, street lighting? <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Not Applicable</p>
7.	<p>Does the proposal balance public and private benefits, for example where community amenity contributions or development cost charges may be applicable? <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Not Applicable</p>
8.	<p>Energy Considerations. Does the application address energy use and climate change? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not Applicable</p>
9.	<p>Environment. Does the application address and / or mitigate environmental impacts? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not Applicable</p>
Recommendation	
<p><input checked="" type="checkbox"/> The Advisory Planning Commission recommends Council approve the application. <input type="checkbox"/> The Advisory Planning Commission recommends Council deny the application.</p>	
Key Reasons for Recommendation	
<ul style="list-style-type: none"> • Project is in line with environmental / climate change concerns. • Heat pump location is sensitive to surroundings aesthetically. • Commission suggests applicant work with staff on decibel readings for clearer picture. 	
Areas of Concern	
<ul style="list-style-type: none"> • Noise to neighbour, distinct quality of heat pump noise, particularly in proximity to older home with less insulation, more sound transmission. 	
Other Policy Implications for Consideration	
<ul style="list-style-type: none"> • Possible conflict between zoning and environmental goals. • Related decibel level limits may need to be reconsidered with respect to heat pumps. 	

Commission members noted that they were in favour of recommending that the side yard setback be approved but wanted the applicant to work with staff to undertake more decibel testing to better inform Council.

It was moved and seconded to recommend that Council approve DVP00084.

The motion was carried.

K. Nichols, A. Appleton and T. Taddy opposed.

5. Information Items

a. Heritage Conservation Area Working Group Update

P. Frey advised the working group is meeting almost weekly to complete the report. The next proposed public engagement session is scheduled for July 19th.

b. Heritage Commission Update

K. Leach reported she attended the joint session of the Heritage Commission and Heritage Foundation where they discussed the Heritage Plan.

c. Policies / Procedures

D. Jensen advised that the checklist will be incorporated into the Procedures Manual, which will then be considered by Council at an upcoming meeting.

d. Building and Planning

D. Jensen noted that Graeme Buffett, the District's planning technician, is back to work.

e. In House Training – Affordable Housing

V. Holden presented information on affordable housing. Some of the comments were:

- When looking at affordable housing, need to consider a basket of costs, including rent and utilities.
- CMHC looks at 30% of gross income, but also asks if housing is suitable, functional and safe.
- BC Housing says a unit should incorporate 30% of costs, but with land and construction costs, is difficult to meet 30%.
- Important for local governments to see what their needs are, for example costs, housing tenure, and housing types such as coops, duplexes, infill
- Local government has a role in four key areas:
 - Land Use. Look at long term planning to meet housing needs; affordable housing used to fall under social planning, but it has evolved.
 - Engagement. Can work with the community through neighbourhood plans, housing strategies; must ensure all voices are heard, not just negative.
 - Cost of Development. Land and construction costs are high; municipalities can mitigate costs through exemptions and incentives, for example, waiving DCCs, tax reductions.
 - Development Approvals. Local governments can look at ways to assist approvals for affordable housing.
- Leadership is also important; advocate for affordable housing.
- BC Housing is meeting step 3 of the Energy Step Code.

- A local government role can:
 - Utilize a revitalization tax bylaw – exempt housing for 10 years.
 - Province will forego school site tax for affordable housing units.
 - Exempt development cost charges for sewer, water, etc.
 - Utilize density bonus, inclusionary zoning.
 - Look at the missing middle – not single family and not multifamily; look at gentle densification such as duplexes and laneway housing.
- Mixed income developments are healthier.
- New tools that are underway to help with affordable housing include:
 - Rental Zoning. By legislation, intent is to incent and preserve rental.
 - Regulations and Funds. Availability of funds to undertake housing needs assessments (reports must be submitted to Province every five years).
 - Investments. Senior levels of government are recognizing deficit in affordable housing and housing stock, for example, community housing fund, national housing strategy, innovative financing fund, housing hub.

6. Information Items

None

7. Next Meeting

The next regular meeting of the APC is scheduled for Tuesday, September 4, 2018.

8. Adjournment

The meeting was adjourned at 7:00 pm.